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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

GIANNESI et al

Atty. Ref.: 4865-13; Confirmation No. 7877

Appl. No. 10/501,135

TC/A.U. 1626

Filed: July 13, 2004

Examiner: Young

For: PHENY(ALKYL)CARBOXYLIC ACID DERIVATIVES AND DIONIC  
PHENYLALKYLHETEROCYCLIC DERIVATIVES AND THEIR USE AS MEDICINES  
WITH SERUM GLUCOSE AND/OR SERUM LIPID LOWERING ACTIVITY

\* \* \* \* \*

May 3, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO SUPPLEMENTAL REQUIREMENT FOR RESTRICTION**

Responsive to the Official Action of April 6, 2007 and the lack of unity finding presented in it, the Official Action identifies four sub-groups of invention, applicants elect Group I.

Compound 22 remains the elected species and examples 13, 19-28, 30-34, 36-44 and 46-49 belong to the elected Group.

This response is also made with traverse to the extent the non-elected claims 8 and 9 directed to the methods of use may be rejoined once the product claims are found to be allowable.

Please examine the elected claims on the merits taking into account the documents cited in the International Search Report in the underlying PCT application and the Information Disclosure Statements filed July 13, 2004, January 29, 2007 and January 30, 2007.

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May 3, 2007

Respectfully submitted,

NIXON & VANDERHYE P.C.

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